



Postal Registration No. N. E.—771/2006-2008

The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 20

Shillong, Friday, March 23, 2012,

3rd Chaitra, 1934 (S.E.)

PART - V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 23rd March, 2012.

No. LB.39/LA/2012/3.—The Meghalaya State Finance Commission Bill, 2012 introduced in the Meghalaya Legislative Assembly on the 23rd March, 2012 together with the statement of objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

MEGHALAYA STATE FINANCE COMMISSION BILL, 2012**A
Bill**

to constitute a State Finance Commission and to determine the qualifications requisite for appointment as members of the Finance Commission and the manner in which they shall be selected and to prescribe their powers and for matter connected therewith.

Whereas, it is expedient to make all the local bodies of the State to have financial autonomy to further democratic decentralization for which constitution of a State Finance Commission to consider and recommend the principle which will govern the distribution of revenue between the State Government and the Local Bodies is necessary;

And, whereas, further, Part IX of the Constitution of India does apply to the state of Meghalaya;

And, whereas, also, Part IX-A of the Constitution of India, except normal areas of Shillong, does not apply to the tribal areas of the State of Meghalaya;

And, whereas, it is expedient to constitute a single State Finance Commission for all the local bodies which will also be suitable to local bodies exempted by the aforementioned provisions of the Constitution on the basis of the existing administrative arrangements to enable all the local bodies to have financial autonomy to perform functions analogous to the functions of other local bodies constituted under Part IX and Part IX-A of the constitution while retaining the distinctive tribal identity protected by the Sixth Schedule of the Constitution of India which is foundational to the local bodies of the State;

Be it enacted by the Legislature of the State of Meghalaya in the Sixty-third Year of the Republic of India as follows: -

Short title and commencement.

1. (1) This Act may be called the Meghalaya State Finance Commission Act, 2012.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires, -

- (a) "Act" means the Meghalaya State Finance Commission Act, 2012;
- (b) "Commission" means the Meghalaya State Finance Commission constituted under sub-section (1) of section 3 of the Act;
- (c) "members" means members of the Commission including the chairperson, other members and include the Member-Secretary appointed under section 4 of the Act;
- (d) "prescribed" means prescribed by rules made under this Act;
- (e) "State Government" means the Government of the State of Meghalaya; and
- (f) "State Legislature" means the Legislature of the State of Meghalaya;
- (g) "Traditional Bodies" means the existing Chiefs of Traditional Institutions or Village Durbars by whatever name they are constituted under the customary laws or conventions.

Constitution of a State Finance Commission.

3. (1) The State Government shall, as soon as may be within one year from the commencement of this Act and thereafter at the expiry of every fifth year, constitute a body to be known as the Meghalaya State Finance Commission to review the financial position of the Traditional Bodies, Municipalities or Municipal Boards notwithstanding any term by which urban local bodies are called in the State and also the Autonomous District Councils as the State Government may deem it necessary and to make recommendations as to -

(a) the principles which should govern –

- (i) the distribution between the State and the Traditional Bodies, Municipalities or Municipal Boards or the Autonomous District Councils of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them to enable these bodies to perform the functions assigned and which may be assigned to it under any laws in force or orders and the allocation between the Traditional Bodies, Municipalities and the Autonomous District Councils at all levels of their respective shares of such proceeds;
- (ii) the determination of the taxes, duties, tolls and fees which may be assigned to or, appropriated by the Traditional Bodies, Municipalities and the Autonomous District Councils;
- (iii) the grant-in-aid to the Traditional Bodies, Municipalities and the Autonomous District Councils from the Consolidated Fund of Meghalaya;
- (b) the measures needed to improve the financial position of the Traditional Bodies, Municipalities and the Autonomous District Councils;
- (c) any other matter referred to the Commission by the State Government in the interests of sound finances of the Traditional Bodies, Municipalities and the Autonomous District Councils; and
- (d) any other matter referred to the Commission by the State Government in the interest of the effective implementation of responsibilities required to be undertaken by the Village Durbars, Municipalities and Autonomous District Councils.

(2) The State Government shall cause every recommendation made by the Commission under this section together with an explanatory memorandum as to the action taken thereon to be laid before the State Legislature.

**The
Composition
and
qualifications
for appointment
as, and the
manner of
selection of,
members of the
Commission.**

4. The composition of the Commission constituted under sub-section (1) of section 3 shall consist of -

- (a) a Chairperson who shall be selected from among persons who have had experience in public affairs;
- (b) and the members not exceeding four in numbers who shall be selected from among persons who -
 - (i) have special knowledge of the finances and accounts of Government; or
 - (ii) have had wide experience in financial matters and in administration; or
 - (iii) have special knowledge of economics.
- (c) The Member Secretary, who shall be appointed by the State Government.

**Personal
interest to
disqualify
members.**

5. Before appointing a person to be a member of the Commission, the State Government shall satisfy itself that the person will have no such financial or other interest as is likely to affect prejudicially his functions as a member of the Commission and the State Government shall also satisfy itself from time to time with respect to every member of the Commission that he has no such interest and any person who is or, whom the State Government proposes to appoint to be, a member of the Commission shall, whenever required by the State Government so to do, furnish such information as the State Government considers necessary for the performance by him of his duties under this Act.

**Disqualifications
for being a
member of the
Commission.**

6. A person shall be disqualified for being appointed as, or for being, a member of the Commission, -

- (a) if he is mentally unsound;
- (b) if he is an undischarged insolvent;
- (c) if he has been convicted of immoral offence;
- (d) if he has such financial or other interest as is likely to affect smooth functioning as member of the Commission.

Term of office of members and eligibility for reappointment.

7. Every member of the Commission shall hold office for such period as may be specified in the order of the State Government appointing him, but shall be eligible for reappointment:

Provided that he may, by letter addressed to the State Government, resign his office.

Conditions of service and salaries and allowances of members.

8. The members of the Commission shall render whole-time or part-time service to the Commission as the State Government may in each case specify and there shall be paid to the members of the Commission such fees or salaries and such allowances as may be prescribed.

Procedures and powers of the Commission.

9. (1) The Commission shall determine their procedure and methods of functioning as assigned to under this Act.

(2) The Commission may consider for its adoption the template for reports of the Commission recommended by the Thirteenth Finance Commission of India.

(3) The Commission, in the performance of their functions, shall have all the powers of a civil court under the Code of Civil Procedure, 1908 (Central Act No.5 of 1908), while trying a suit in respect of the following matters, namely, -

- (a) summoning and enforcing the attendance of any official, person or witnesses;
- (b) requiring the production of any document;
- (c) requisitioning any public record from any court or office.

(4) The Commission shall have powers to require any person to furnish information on such points or matters as in the opinion of the Commission may be useful for, or relevant to, any matter under the consideration of the Commission.

Power to make rules.

10. (1) The State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) Every rule made under this Act shall, as soon as after it is made, be laid before the State Legislature.

STATEMENT OF OBJECT AND REASONS.

The Thirteenth Finance Commission has linked the release of the General Performance Grant under local bodies, besides other conditions, subject to the compliance of setting up of the State Finance Commission through passage of relevant enactment. In view of these conditions and to ensure that the State realizes the entire award of the Thirteenth Finance Commission under the General Performance Grant, the State Government proposes to set up the Meghalaya State Finance Commission by enacting a law.

Hence, the Bill.

(Dr. Mukul Sangma)
Chief Minister

(Smti H. Myllemngap)
Secretary,
Meghalaya Legislative
Assembly.

FINANCIAL MEMORANDUM

Expenditure from the consolidated fund of the State of Meghalaya may be involved for implementing the provisions of the proposed Bill when enacted.

MEMORANDUM OF DELEGATED LEGISLATION

Clause 10 of the Bill empowers the State Government to make rules to carry out the purpose of the Act which are matter of detail and are of normal character.



The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 21

Shillong, Friday, March 23, 2012,

3rd Chaitra - 1934 (S. E.)

PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 23rd March, 2012.

No.LB.17/LA/2012/3.—The Meghalaya Appropriation (No.II) Bill, 2012 introduced in the Meghalaya Legislative Assembly on the 23rd March, 2012 together with the statement of objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

THE MEGHALAYA APPROPRIATION (NO.II) BILL, 2012

A

BILL

to authorize payment and appropriation of certain sums from and out of the Consolidated Fund of Meghalaya for the services of Financial Year ending on the thirty first day of March,2013

Be it enacted by the Legislature of the State of Meghalaya in the Sixty third Year of the Republic of India as follows:-

Short title and
Commencement

1. (i) This Act may be called the Meghalaya
Appropriation (No.II) Act, 2012.

(ii) It shall come into force on the first day of
April, 2012

Withdrawal of
₹ 7601,08,67,000/-
from and out of the
Consolidated Fund of
Meghalaya for the financial
year 2012-2013.

2. From and out of the Consolidated fund
of Meghalaya there may be paid
and applied sums not exceeding those
specified in Column (3) of the Schedule
amounting in the aggregate to the
sum of **₹ 7601,08,67,000/- (Rupees Seven
Thousand Six Hundred and One Crore
Eight Lakh Sixty Seven Thousand)** only
towards defraying the several charges which
will come in course of payment during the
financial year ending on the thirty first day of
March, 2013 in respect of the services
specified in Column (2) of the Schedule.

Appropriation

3. The sums authorized to be withdrawn from
and out of the Consolidated Fund of
Meghalaya by this Act, shall be appropriated
for the services and purposes expressed in
the Schedule in relation to the said year.

(1)	(2)	(3)		
Grant No.	Services & Purposes (Major Heads)	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated fund	Total
		Rs.	Rs.	Rs.
01	<i>Revenue</i>			
	2011 PARLIAMENT/STATE/UNION TERRITORY LEGISLATURE	46,83,84,000	1,67,16,000	48,51,00,000
	2058 STATIONERY AND PRINTING—	3,89,00,000	...	3,89,00,000
	<i>Total Revenue</i>	50,72,84,000	1,67,16,000	52,40,00,000
	<i>Capital</i>			
	4058 CAPITAL OUTLAY ON STATIONERY & PRINTING	92,00,000	...	92,00,000
	<i>Total Capital</i>	92,00,000	...	92,00,000
02	<i>Revenue</i>			
	2012 GOVERNOR	...	5,00,00,000	5,00,00,000
	<i>Total Revenue</i>	...	5,00,00,000	5,00,00,000
	<i>Capital</i>			
	4216 CAPITAL OUTLAY ON HOUSING-	...	...	...
	<i>Total Capital</i>	...	...	...
03	<i>Revenue</i>			
	2013 COUNCIL OF MINISTERS—	10,09,00,000	...	10,09,00,000
	2070 OTHER ADMINISTRATIVE SERVICES	...	...	...
	<i>Total Revenue</i>	10,09,00,000	...	10,09,00,000
04	<i>Revenue</i>			
	2014 ADMINISTRATION OF JUSTICE-	8,65,90,000	2,48,10,000	11,14,00,000
	<i>Total Revenue</i>	8,65,90,000	2,48,10,000	11,14,00,000
05	<i>Revenue</i>			
	2015 ELECTIONS	32,18,00,000	...	32,18,00,000
	<i>Total Revenue</i>	32,18,00,000	...	32,18,00,000
06	<i>Revenue</i>			
	2029 LAND REVENUE	14,76,00,000	...	14,76,00,000
	2245 RELIEF ON ACCOUNT OF NATURAL CALAMITIES	19,27,00,000	...	19,27,00,000
	2250 OTHER SOCIAL SERVICES	50,000	...	50,000
	3475 OTHER GENERAL ECONOMIC SERVICES	...	...	...
	<i>Total Revenue</i>	34,03,50,000	...	34,03,50,000
	<i>Capital</i>			

(1)	(2)	(3)		
Grant No.	Services & Purposes (Major Heads)	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated fund	Total
		Rs.	Rs.	Rs.
	6225 LOANS FOR WELFARE OF S.CS., S.TS. AND OTHER B.CS.	...	...	...
	6401 LOANS FOR CROP HUSBANDRY	...	...	...
	<i>Total Capital</i>	...	...	...
07	<i>Revenue</i>			
	2030 STAMPS AND REGISTRATION-	1,36,00,000	...	1,36,00,000
	<i>Total Revenue</i>	1,36,00,000	...	1,36,00,000
08	<i>Revenue</i>			
	2039 STATE EXCISE-	13,25,00,000	...	13,25,00,000
	<i>Total Revenue</i>	13,25,00,000	...	13,25,00,000
09	<i>Revenue</i>			
	2040 TAXES ON SALES, TRADE ETC.	18,82,50,000	...	18,82,50,000
	2045 OTHER TAXES AND DUTIES ON COMMODITIES AND SERVICES	9,50,000	...	9,50,000
	<i>Total Revenue</i>	18,92,00,000	...	18,92,00,000
10	<i>Revenue</i>			
	2041 TAXES ON VEHICLES	10,97,00,000	...	10,97,00,000
	2070 OTHER ADMINISTRATIVE SERVICES	13,10,00,000	...	13,10,00,000
	3055 ROAD TRANSPORT	...	...	...
	<i>Total Revenue</i>	24,07,00,000	...	24,07,00,000
	<i>Capital</i>			
	5053 CAPITAL OUTLAY ON CIVIL AVIATION	1,16,00,000	...	1,16,00,000
	5055 CAPITAL OUTLAY ON ROAD TRANSPORT	20,84,00,000	...	20,84,00,000
	<i>Total Capital</i>	22,00,00,000	...	22,00,00,000
11	<i>Revenue</i>			
	2045 OTHER TAXES AND DUTIES ON COMMODITIES AND SERVICES	89,00,000	...	89,00,000
	2501 SPECIAL PROGRAMMES FOR RURAL DEVELOPMENT-	2,50,00,000	...	2,50,00,000
	2801 POWER	271,99,00,000	...	271,99,00,000
	2810 NEW AND RENEWABLE ENERGY	5,20,00,000	...	5,20,00,000
	<i>Total Revenue</i>	280,58,00,000	...	280,58,00,000
	<i>Capital</i>			
	4801 CAPITAL OUTLAY ON POWER PROJECTS	...	...	...
	6801 LOANS FOR POWER PROJECTS	...	...	...
	<i>Total Capital</i>	...	...	...

(1)	(2)	(3)		
Grant No.	Services & Purposes (Major Heads)	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated fund	Total
		Rs.	Rs.	Rs.
12	<i>Revenue</i> 2047 OTHER FISCAL SERVICES-	36,00,000	...	36,00,000
	<i>Total Revenue</i>	36,00,000	...	36,00,000
	<i>Revenue</i> 2048 APPROPRIATION FOR REDUCTION OR AVOIDANCE OF DEBT	...	20,43,00,000	20,43,00,000
	<i>Total Revenue</i>	...	20,43,00,000	20,43,00,000
	<i>Revenue</i> 2049 INTEREST PAYMENTS	...	335,75,96,000	335,75,96,000
	<i>Total Revenue</i>	...	335,75,96,000	335,75,96,000
	<i>Revenue</i> 2051 PUBLIC SERVICE COMMISSION	...	2,08,00,000	2,08,00,000
	<i>Total Revenue</i>	...	2,08,00,000	2,08,00,000
13	<i>Revenue</i> 2052 SECRETARIAT- GENERAL SERVICES	55,78,36,000	...	55,78,36,000
	2251 SECRETARIAT- SOCIAL SERVICES	7,08,00,000	...	7,08,00,000
	3451 SECRETARIAT- ECONOMIC SERVICES-	26,68,00,000	...	26,68,00,000
	<i>Total Revenue</i>	89,54,36,000	...	89,54,36,000
	<i>Capital</i> 5275 CAPITAL OUTLAY ON OTHER COMMUNICATION SERVICES	...	...	...
	<i>Total Capital</i>	...	...	...
14	<i>Revenue</i> 2053 DISTRICT ADMINISTRATION	21,25,00,000	...	21,25,00,000
	<i>Total Revenue</i>	21,25,00,000	...	21,25,00,000
15	<i>Revenue</i> 2054 TREASURY AND ACCOUNTS ADMINISTRATION-	16,54,03,000	...	16,54,03,000
	<i>Total Revenue</i>	16,54,03,000	...	16,54,03,000
16	<i>Revenue</i> 2055 POLICE.	306,39,80,000	10,20,000	306,50,00,000
	2070 OTHER ADMINISTRATIVE SERVICES	20,31,85,000	7,000	20,31,92,000
	2216 HOUSING-	1,69,00,000	...	1,69,00,000
	<i>Total Revenue</i>	328,40,65,000	10,27,000	328,50,92,000
	<i>Capital</i>			

(1)	(2)	(3)		
Grant No.	Services & Purposes (Major Heads)	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated fund	Total
		Rs.	Rs.	Rs.
	4055 CAPITAL OUTLAY ON POLICE	21,65,00,000	...	21,65,00,000
	<i>Total Capital</i>	21,65,00,000	...	21,65,00,000
17	<i>Revenue</i> 2056 JAILS.	14,35,00,000	...	14,35,00,000
	<i>Total Revenue</i>	14,35,00,000	...	14,35,00,000
18	<i>Revenue</i> 2058 STATIONERY AND PRINTING--	19,35,00,000	...	19,35,00,000
	<i>Total Revenue</i>	19,35,00,000	...	19,35,00,000
	<i>Capital</i> 4058 CAPITAL OUTLAY ON STATIONERY & PRINTING	1,54,00,000	...	1,54,00,000
	4216 CAPITAL OUTLAY ON HOUSING-	...	...	...
	<i>Total Capital</i>	1,54,00,000	...	1,54,00,000
19	<i>Revenue</i>			
	2052 SECRETARIAT- GENERAL SERVICES	3,78,03,000	...	3,78,03,000
	2059 PUBLIC WORKS	156,40,77,000	6,10,000	156,46,87,000
	2216 HOUSING-	7,53,00,000	...	7,53,00,000
	<i>Total Revenue</i>	167,71,80,000	6,10,000	167,77,90,000
	<i>Capital</i>			
	4059 CAPITAL OUTLAY ON PUBLIC WORKS.	66,28,80,000	...	66,28,80,000
	4202 CAPITAL OUTLAY ON EDUCATION,SPORTS,ART AND CULTURE	3,80,00,000	...	3,80,00,000
	4210 CAPITAL OUTLAY ON MEDICAL & PUBLIC HEALTH	...	...	...
	4216 CAPITAL OUTLAY ON HOUSING-	5,24,50,000	...	5,24,50,000
	<i>Total Capital</i>	75,33,30,000	...	75,33,30,000
20	<i>Revenue</i>			
	2070 OTHER ADMINISTRATIVE SERVICES	25,18,18,000	...	25,18,18,000
	<i>Total Revenue</i>	25,18,18,000	...	25,18,18,000
	<i>Capital</i>			
	4059 CAPITAL OUTLAY ON PUBLIC WORKS.	...	...	...
	<i>Total Capital</i>	...	...	...
21	<i>Revenue</i>			
	2075 MISCELLANEOUS GENERAL SERVICES	...	...	...
	2202 GENERAL EDUCATION-	1085,85,76,000	...	1085,85,76,000
	2203 TECHNICAL EDUCATION	21,58,00,000	...	21,58,00,000

(1)	(2)	(3)		
Grant No.	Services & Purposes (Major Heads)	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated fund	Total
		Rs.	Rs.	Rs.
	2204 SPORT AND YOUTH SERVICES -	68,84,76,000	...	68,84,76,000
	2205 ART AND CULTURE-	60,54,67,000	...	60,54,67,000
	3425 OTHER SCIENTIFIC RESEARCH-	44,00,000	...	44,00,000
	3454 CENSUS,SURVEY AND STATISTICS	68,79,000	...	68,79,000
	<i>Total Revenue</i>	1237,95,98,000	...	1237,95,98,000
	<i>Capital</i>			
	4202 CAPITAL OUTLAY ON	5,00,00,000	...	5,00,00,000
	EDUCATION,SPORTS,ART AND CULTURE 6202 LOANS FOR EDUCATION, SPORTS, ART AND CULTURE	...	...	...
	<i>Total Capital</i>	5,00,00,000	...	5,00,00,000
22	<i>Revenue</i>			
	2070 OTHER ADMINISTRATIVE SERVICES	10,75,00,000	...	10,75,00,000
	2216 HOUSING-	7,95,00,000	...	7,95,00,000
	3454 CENSUS,SURVEY AND STATISTICS	...	...	...
	<i>Total Revenue</i>	18,70,00,000	...	18,70,00,000
23	<i>Revenue</i>			
	2070 OTHER ADMINISTRATIVE SERVICES	4,72,00,000	...	4,72,00,000
	<i>Total Revenue</i>	4,72,00,000	...	4,72,00,000
24	<i>Revenue</i>			
	2071 PENSIONS AND OTHER RETIREMENT BENEFITS	225,63,00,000	...	225,63,00,000
	<i>Total Revenue</i>	225,63,00,000	...	225,63,00,000
25	<i>Revenue</i>			
	2075 MISCELLANEOUS GENERAL SERVICES	82,00,000	...	82,00,000
	<i>Total Revenue</i>	82,00,000	...	82,00,000
26	<i>Revenue</i>			
	2210 MEDICAL AND PUBLIC HEALTH-	289,40,93,000	...	289,40,93,000
	2211 FAMILY WELFARE-	34,28,93,000	...	34,28,93,000
	<i>Total Revenue</i>	323,69,86,000	...	323,69,86,000
	<i>Capital</i>			
	4210 CAPITAL OUTLAY ON MEDICAL & PUBLIC HEALTH	70,55,00,000	...	70,55,00,000
	4211 CAPITAL OUTLAY ON FAMILY WELFARE-	50,00,000	...	50,00,000
	<i>Total Capital</i>	71,05,00,000	...	71,05,00,000
	<i>Revenue</i>			

(1)	(2)	(3)		
Grant No.	Services & Purposes (Major Heads)	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated fund	Total
		Rs.	Rs.	Rs.
27	2215 WATER SUPPLY AND SANITATION	120,53,99,000	...	120,53,99,000
	2216 HOUSING-	36,00,000	...	36,00,000
	<i>Total Revenue</i>	120,89,99,000	...	120,89,99,000
	<i>Capital</i>			
	4215 CAPITAL OUTLAY ON WATER SUPPLY AND SANITATION.	294,08,00,000	...	294,08,00,000
	4216 CAPITAL OUTLAY ON HOUSING-	50,00,000	...	50,00,000
	<i>Total Capital</i>	294,58,00,000	...	294,58,00,000
28	<i>Revenue</i>			
	2216 HOUSING-	14,58,00,000	...	14,58,00,000
	<i>Total Revenue</i>	14,58,00,000	...	14,58,00,000
	<i>Capital</i>			
	4216 CAPITAL OUTLAY ON HOUSING-	1,12,00,000	...	1,12,00,000
	6216 LOANS FOR HOUSING	...	...	...
	<i>Total Capital</i>	1,12,00,000	...	1,12,00,000
29	<i>Revenue</i>			
	2217 URBAN DEVELOPMENT	85,99,01,000	...	85,99,01,000
	<i>Total Revenue</i>	85,99,01,000	...	85,99,01,000
	<i>Capital</i>			
	4216 CAPITAL OUTLAY ON HOUSING-	5,00,000	...	5,00,000
	4217 CAPITAL OUTLAY ON URBAN DEVELOPMENT	250,32,58,000	...	250,32,58,000
	6217 LOANS FOR URBAN DEVELOPMENT-	...	...	...
	<i>Total Capital</i>	250,37,58,000	...	250,37,58,000
30	<i>Revenue</i>			
	2220 INFORMATION AND PUBLICITY	15,19,64,000	...	15,19,64,000
	<i>Total Revenue</i>	15,19,64,000	...	15,19,64,000
31	<i>Revenue</i>			
	2230 LABOUR AND EMPLOYMENT-	41,13,98,000	...	41,13,98,000
	<i>Total Revenue</i>	41,13,98,000	...	41,13,98,000
32	<i>Revenue</i>			
	3456 CIVIL SUPPLIES	19,99,00,000	...	19,99,00,000
	<i>Total Revenue</i>	19,99,00,000	...	19,99,00,000
	<i>Capital</i>			

(1)	(2)	(3)		
Grant No.	Services & Purposes (Major Heads)	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated fund	Total
		Rs.	Rs.	Rs.
	4408 CAPITAL OUTLAY ON FOOD STORAGE AND WAREHOUSING	...	...	...
	<i>Total Capital</i>	...	...	...
33	<i>Revenue</i>			
	2235 SOCIAL SECURITY AND WELFARE-	...	...	...
	<i>Total Revenue</i>	...	...	...
	<i>Capital</i>			
	6235 -LOANS FOR SOCIAL SECURITY AND WELFARE-	12,00,000	...	12,00,000
	<i>Total Capital</i>	12,00,000	...	12,00,000
34	<i>Revenue</i>			
	2225 WELFARE OF S.CS.,S.TS. AND OTHER B.CS.	87,61,60,000	...	87,61,60,000
	2235 SOCIAL SECURITY AND WELFARE-	84,38,81,000	...	84,38,81,000
	2236 NUTRITION-	97,51,29,000	...	97,51,29,000
	<i>Total Revenue</i>	269,51,70,000	...	269,51,70,000
	<i>Capital</i>			
	4235 CAPITAL OUTLAY ON SOCIAL SECURITY AND WELFARE	19,36,00,000	...	19,36,00,000
	6225 LOANS FOR WELFARE OF S.CS., S.TS. AND OTHER B.CS.	...	...	...
	<i>Total Capital</i>	19,36,00,000	...	19,36,00,000
35	<i>Revenue</i>			
	2235 SOCIAL SECURITY AND WELFARE-	64,00,000	...	64,00,000
	<i>Total Revenue</i>	64,00,000	...	64,00,000
36	<i>Revenue</i>			
	2075 MISCELLANEOUS GENERAL SERVICES	3,00,000	...	3,00,000
	2235 SOCIAL SECURITY AND WELFARE-	1,72,45,000	6,55,000	1,79,00,000
	<i>Total Revenue</i>	1,75,45,000	6,55,000	1,82,00,000
37	<i>Revenue</i>			
	2250 OTHER SOCIAL SERVICES	50,000	...	50,000
	<i>Total Revenue</i>	50,000	...	50,000
38	<i>Revenue</i>			
	3451 SECRETARIAT- ECONOMIC SERVICES-	446,76,00,000	...	446,76,00,000
	<i>Total Revenue</i>	446,76,00,000	...	446,76,00,000
39	<i>Revenue</i>			
	2425 CO-OPERATION	28,57,49,000	...	28,57,49,000

(1)	(2)	(3)		
Grant No.	Services & Purposes (Major Heads)	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated fund	Total
		Rs.	Rs.	Rs.
	<i>Total Revenue</i>	28,57,49,000	...	28,57,49,000
	<i>Capital</i>			
	4425 CAPITAL OUTLAY ON CO-OPERATION	11,23,09,000	...	11,23,09,000
	4435 CAPITAL OUTLAY ON OTHER AGRICULTURE PROGRAMMES	1,30,00,000	...	1,30,00,000
	6425 LOANS FOR COOPERATION-	2,27,04,000	...	2,27,04,000
	<i>Total Capital</i>	14,80,13,000	...	14,80,13,000
40	<i>Revenue</i>			
	2552 NORTH EASTERN AREAS	113,37,00,000	...	113,37,00,000
	<i>Total Revenue</i>	113,37,00,000	...	113,37,00,000
	<i>Capital</i>			
	4552 CAPITAL OUTLAY ON NORTH EASTERN AREAS	93,13,00,000	...	93,13,00,000
	<i>Total Capital</i>	93,13,00,000	...	93,13,00,000
41	<i>Revenue</i>			
	3454 CENSUS,SURVEY AND STATISTICS	14,09,46,000	...	14,09,46,000
	<i>Total Revenue</i>	14,09,46,000	...	14,09,46,000
42	<i>Revenue</i>			
	2216 HOUSING-	2,25,000	...	2,25,000
	3475 OTHER GENERAL ECONOMIC SERVICES	4,23,00,000	...	4,23,00,000
	<i>Total Revenue</i>	4,25,25,000	...	4,25,25,000
43	<i>Revenue</i>			
	2216 HOUSING-	1,02,00,000	...	1,02,00,000
	2401 CROP HUSBANDRY	240,48,50,000	5,00,000	240,53,50,000
	2415 AGRICULTURAL RESEARCH AND EDUCATION	5,35,00,000	...	5,35,00,000
	2435 OTHER AGRICULTURAL PROGRAMMES	10,58,00,000	...	10,58,00,000
	2701 -MEDIUM IRRIGATION.	50,00,000	...	50,00,000
	2702 MINOR IRRIGATION	134,44,00,000	...	134,44,00,000
	2711 FLOOD CONTROL AND DRAINAGE	28,00,000	...	28,00,000
	<i>Total Revenue</i>	392,65,50,000	5,00,000	392,70,50,000
	<i>Capital</i>			
	4216 CAPITAL OUTLAY ON HOUSING-	65,00,000	...	65,00,000
	4401 CAPITAL OUTLAY ON CROP HUSBANDRY	1,55,00,000	...	1,55,00,000
	4416 INVESTMENTS IN AGRICULTURAL FINANCIAL INST.	30,00,000	...	30,00,000
	4701 CAPITAL OUTLAY ON MEDIUM IRRIGATION.	5,00,000	...	5,00,000

(1)	(2)	(3)		
Grant No.	Services & Purposes (Major Heads)	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated fund	Total
		Rs.	Rs.	Rs.
	4702 CAPITAL OUTLAY ON MINOR IRRIGATION	88,30,00,000	...	88,30,00,000
	4711 CAPITAL OUTLAY ON FLOOD CONTROL PROJECTS	59,22,00,000	...	59,22,00,000
	<i>Total Capital</i>	150,07,00,000	...	150,07,00,000
44	<i>Revenue</i>			
	2701 -MEDIUM IRRIGATION.	...	...	...
	2711 FLOOD CONTROL AND DRAINAGE	83,00,000	...	83,00,000
	<i>Total Revenue</i>	83,00,000	...	83,00,000
	<i>Capital</i>			
	4701 CAPITAL OUTLAY ON MEDIUM IRRIGATION.	...	...	...
	4711 CAPITAL OUTLAY ON FLOOD CONTROL PROJECTS	2,68,00,000	...	2,68,00,000
	<i>Total Capital</i>	2,68,00,000	...	2,68,00,000
45	<i>Revenue</i>			
	2216 HOUSING-	66,00,000	...	66,00,000
	2402 SOIL AND WATER CONSERVATION	172,87,87,000	...	172,87,87,000
	2415 AGRICULTURAL RESEARCH AND EDUCATION	32,13,000	...	32,13,000
	<i>Total Revenue</i>	173,86,00,000	...	173,86,00,000
46	<i>Revenue</i>			
	2501 SPECIAL PROGRAMMES FOR RURAL DEVELOPMENT-	32,63,00,000	...	32,63,00,000
	<i>Total Revenue</i>	32,63,00,000	...	32,63,00,000
47	<i>Revenue</i>			
	2216 HOUSING-	3,61,00,000	...	3,61,00,000
	2403 ANIMAL HUSBANDRY-	91,55,28,000	...	91,55,28,000
	2415 AGRICULTURAL RESEARCH AND EDUCATION	2,82,75,000	...	2,82,75,000
	<i>Total Revenue</i>	97,99,03,000	...	97,99,03,000
48	<i>Revenue</i>			
	2216 HOUSING-	72,00,000	...	72,00,000
	2404 DAIRY DEVELOPMENT	9,90,73,000	...	9,90,73,000
	2415 AGRICULTURAL RESEARCH AND EDUCATION	4,27,000	...	4,27,000
	<i>Total Revenue</i>	10,67,00,000	...	10,67,00,000
49	<i>Revenue</i>			
	2216 HOUSING-	12,00,000	...	12,00,000
	2405 FISHERIES	21,34,00,000	...	21,34,00,000

(1)	(2)	(3)		
Grant No.	Services & Purposes (Major Heads)	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated fund	Total
		Rs.	Rs.	Rs.
	2415 AGRICULTURAL RESEARCH AND EDUCATION	31,00,000	...	31,00,000
	<i>Total Revenue</i>	21,77,00,000	...	21,77,00,000
	<i>Capital</i>			
	4216 CAPITAL OUTLAY ON HOUSING-	10,00,000	...	10,00,000
	4405 CAPITAL OUTLAY ON FISHERIES	2,00,00,000	...	2,00,00,000
	<i>Total Capital</i>	2,10,00,000	...	2,10,00,000
50	<i>Revenue</i>			
	2406 FORESTRY AND WILDLIFE	135,38,09,589	11,00,000	135,49,09,589
	2415 AGRICULTURAL RESEARCH AND EDUCATION	3,01,08,411	...	3,01,08,411
	<i>Total Revenue</i>	138,39,18,000	11,00,000	138,50,18,000
	<i>Capital</i>			
	4406 CAPITAL OUTLAY ON FORESTRY AND WILD LIFE	21,18,00,000	...	21,18,00,000
	<i>Total Capital</i>	21,18,00,000	...	21,18,00,000
51	<i>Revenue</i>			
	2216 HOUSING-	61,00,000	...	61,00,000
	2401 CROP HUSBANDRY	2,10,00,000	...	2,10,00,000
	2501 SPECIAL PROGRAMMES FOR RURAL DEVELOPMENT-	23,45,00,000	...	23,45,00,000
	2505 RURAL EMPLOYMENT.	92,00,00,000	...	92,00,00,000
	2515 OTHER RURAL DEVELOPMENT PROGRAMMES	181,26,72,000	...	181,26,72,000
	<i>Total Revenue</i>	299,42,72,000	...	299,42,72,000
	<i>Capital</i>			
	4216 CAPITAL OUTLAY ON HOUSING-	16,28,000	...	16,28,000
	4515 CAPITAL OUTLAY ON OTHER RURAL DEVELOPMENT PROGRAMMES -	20,00,000	...	20,00,000
	<i>Total Capital</i>	36,28,000	...	36,28,000
52	<i>Revenue</i>			
	2852 INDUSTRIES	6,48,51,000	...	6,48,51,000
	<i>Total Revenue</i>	6,48,51,000	...	6,48,51,000
	<i>Capital</i>			
	4854 CAPITAL OUTLAY ON CEMENT	5,00,00,000	...	5,00,00,000
	4885 CAPITAL OUTLAY ON INDUSTRIES AND MINERALS.	26,00,000	...	26,00,000
	6885 Other Loans to Industries and Minerals	10,00,000	...	10,00,000
	<i>Total Capital</i>	5,36,00,000	...	5,36,00,000

(1)	(2)	(3)		
Grant No.	Services & Purposes (Major Heads)	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated fund	Total
		Rs.	Rs.	Rs.
53	<i>Revenue</i> 2851 VILLAGE AND SMALL INDUSTRIES-	50,02,00,000	...	50,02,00,000
	<i>Total Revenue</i>	50,02,00,000	...	50,02,00,000
	<i>Capital</i>			
	4851 Capital Outlay on Village and Small Industries.	...	...	...
	6851 LOANS FOR VILLAGE AND SMALL INDUSTRIES	...	...	...
	<i>Total Capital</i>	...	...	...
54	<i>Revenue</i> 2851 VILLAGE AND SMALL INDUSTRIES-	28,02,49,000	...	28,02,49,000
	<i>Total Revenue</i>	28,02,49,000	...	28,02,49,000
	<i>Capital</i>			
	4216 CAPITAL OUTLAY ON HOUSING-	50,00,000	...	50,00,000
	4851 Capital Outlay on Village and Small Industries.	6,54,00,000	...	6,54,00,000
	6851 LOANS FOR VILLAGE AND SMALL INDUSTRIES	...	...	...
	<i>Total Capital</i>	7,04,00,000	...	7,04,00,000
55	<i>Revenue</i> 2853 NON FERROUS MINING AND METALLURGICAL INDUSTRIES	34,45,00,000	...	34,45,00,000
	<i>Total Revenue</i>	34,45,00,000	...	34,45,00,000
	<i>Capital</i>			
	4216 CAPITAL OUTLAY ON HOUSING-	...	...	...
	4853 CAPITAL OUTLAY ON NON-FERROUS MINING AND METALLURGICAL	...	...	...
	<i>Total Capital</i>	...	...	...
56	<i>Revenue</i> 3054 ROADS AND BRIDGES	140,30,00,000	...	140,30,00,000
	<i>Total Revenue</i>	140,30,00,000	...	140,30,00,000
	<i>Capital</i>			
	5054 CAPITAL OUTLAY ON ROADS AND BRIDGES	341,30,96,000	...	341,30,96,000
	<i>Total Capital</i>	341,30,96,000	...	341,30,96,000
57	<i>Revenue</i> 3452 TOURISM	24,26,00,000	...	24,26,00,000
	<i>Total Revenue</i>	24,26,00,000	...	24,26,00,000
	<i>Capital</i>			

(1) Grant No.	(2) Services & Purposes (Major Heads)	(3) Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated fund	Total
		Rs.	Rs.	Rs.
	4059 CAPITAL OUTLAY ON PUBLIC WORKS.	...	...	...
	5452 CAPITAL OUTLAY ON TOURISM	11,00,000	...	11,00,000
	7452 Loans for Tourism.	...	...	...
	<i>Total Capital</i>	11,00,000	...	11,00,000
58	<i>Revenue</i> 3606 AID MATERIALS AND EQUIPMENTS-	...	...	...
	<i>Total Revenue</i>	...	...	...
59	<i>Capital</i> 5465 INVESTMENT IN GENERAL FINANCIAL AND TRADING INSTITUTIONS	...	...	...
	<i>Total Capital</i>	...	...	...
	<i>Capital</i> 6003 INTERNAL DEBT OF THE STATE GOVERNMENT	...	198,72,03,000	198,72,03,000
	<i>Total Capital</i>	...	198,72,03,000	198,72,03,000
	<i>Capital</i> 6004 LOANS AND ADVANCES FROM THE CENTRAL GOVERNMENT	...	20,87,25,000	20,87,25,000
	<i>Total Capital</i>	...	20,87,25,000	20,87,25,000
60	<i>Capital</i> 7610 LOANS TO GOVERNMENT SERVANTS ETC..	15,86,00,000	...	15,86,00,000
	<i>Total Capital</i>	15,86,00,000	...	15,86,00,000
61	<i>Capital</i> 7615 MISCELLANEOUS LOANS	...	...	...
	<i>Total Capital</i>	...	...	...
62	<i>Capital</i> 7810 INTER-STATE SETTLEMENT	...	...	...
	<i>Total Capital</i>	...	...	...
63	<i>Capital</i> 7999 APPROPRIATION TO THE CONTINGENCY FUND	...	...	...
	<i>Total Capital</i>	...	...	...

(1)	(2)	(3)		
Grant No.	Services & Purposes (Major Heads)	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated fund	Total
		Rs.	Rs.	Rs.
TOTAL		7013,68,25,000	587,40,42,000	7601,08,67,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of Article 204 (1) of the Constitution of India, to provide for the Appropriation out of the Consolidated Fund of the State of Meghalaya of all money required to meet the grants made by the Assembly under Article 203 of the Constitution of India and the Expenditure charged on the said Consolidated Fund for the financial year ending 31st March, 2013

(Dr. Mukul Sangma)
Chief Minister, In-charge Finance

(Smti. H. Myllemngap)
Secretary,
Meghalaya Legislative Assembly



The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 22

Shillong, Friday, March 23, 2012,

3rd Chaitra, 1934 (S. E.)

PART - V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 23rd March, 2012.

No.LB.36/LA/2012/4.—The Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standards) Bill, 2012 introduced in the Meghalaya Legislative Assembly on the 23rd March, 2012 together with the statement of objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

**MEGHALAYA PRIVATE UNIVERSITIES (REGULATION OF ESTABLISHMENT AND
MAINTENANCE OF STANDARDS) BILL, 2012**

A

Bill

to provide for regulation of private Universities in the State and for matters connected therewith.

Whereas it is necessary to ensure that private universities maintain the standards of infrastructures, teaching, research, examination and extension of services, fee structure, safeguarding the interest of the state as a whole and in particular of the student community by emphasizing on quality education and avoiding commercialization of higher education.

Be it enacted by the Legislature of the State of Meghalaya in the Sixty-third Year of the Republic of India as follows: -

Short title, 1. (1) This Act may be called the Meghalaya Private Universities
application and (Regulation of Establishment and Maintenance of Standards) Act,
commencement 2012.

(2) It shall apply to all private universities established by or incorporated under a State Act and opened in Meghalaya in collaboration with foreign University, formal and non-formal or distance education made by private universities.

(3) It shall come into force with effect from the date of notification.

Definitions.

2. In this Act, unless the context otherwise requires, -

- (a) “Act” means the Meghalaya Private Universities (Regulation of Establishment and Maintenance of Standard) Act, 2012;
- (b) “application fee” means amount deposited by the sponsoring body along with the proposal and project report to establish a university in private sector;
- (c) “off-campus center” means a center of the private university established by it outside the main campus (within or outside the State) operated and maintained as its constituent unit, having the university’s complement of facilities, faculty and staff;
- (d) “off-shore campus” means a campus of the private university established by it outside the country, operated and maintained as its constituent unit, having the university’s complement of facilities, faculty and staff;
- (e) “off-campus centre” “off-shore campus” and “study centre” as defined under these Regulations shall be applicable to the universities as defined under 2(f) of the UGC Act, 1956;
- (f) “prescribed” means prescribed by rules made under this Act;
- (g) “Private university” means university duly established through a State Act by a sponsoring body viz. a Society registered under the Meghalaya Registration of Societies Act, 1983 or any other corresponding law for the time being in force in a State or a Public Trust or a Company registered under Section 25 of the Companies Act, 1956;
- (h) “State Government” means the State Government of Meghalaya;
- (i) “study center” means a center established and maintained or recognized by the university for the purpose of advising, counseling or for rendering any other assistance required by the students used in the context of distance education; and
- (j) “Student” means a person duly admitted and pursuing a programme of study;

Establishment and recognition of Private Universities.

3. (1) Each private university shall be established by a separate State Act and shall conform to the relevant provisions of such State Act.

(2) For a Private University established by a State Act and which is non-functional within 2(two) years of establishment, any land allotted, whether privately owned or on lease or otherwise, will revert back to the owners(s) / lessee(s) on terms and conditions agreed upon.

(3) A private university shall be a unitary university having adequate facilities for teaching, research, examination and extension services with no power of affiliation.

(4) Government Representatives shall be included in the Board of Governors.

(5) A private university established under a State Act shall operate ordinarily within the boundary of the State concerned, subject to the following conditions, namely, -

- (a) a private university shall fulfill the minimum criteria in terms of programmes, faculty, infrastructural facilities, financial viability as laid down from time to time by the UGC and other concerned statutory bodies to which it applies such as the All India Council for Technical Education (AICTE), the Bar Council of India (BCI), the Distance Education Council (DEC), the Dental Council of India (DCI), the Indian Nursing Council (INC), the Medical Council of India (MCI), the National Council for Teacher Education (NCTE), the Pharmacy Council of India (PCI), etc;
- (b) the courses of studies prescribed for a first degree and/or the postgraduate degree/diploma programmes should have been formally approved by the respective academic bodies of the private university, such as Board of Studies, Academic Council or Governing Council or Executive Council;
- (c) the programmes of study leading to a degree and or a

post graduate degree or diploma offered by a private university shall conform to the relevant regulations or norms of the Education Department, Government of Meghalaya or the concerned statutory body as amended from time to time;

- (d) a private university shall provide all the relevant information relating to the first degree or diploma programme(s) including the curriculum structure, contents, teaching and learning process, examination and evaluation system and the eligibility criteria for admission of students, to the education Department, Government of Meghalaya on a proforma prescribed by the UGC or Department prior to starting of these programmes;
- (e) Education Department, Government of Meghalaya on detailed examination of the information made available as well as the representations and grievances received by it from the students as well as concerned public relating to the deficiencies of the proposed programme(s) not conforming to various Government regulations, shall inform the concerned university about any shortcomings in respect of conformity to relevant regulations, for rectification. The university shall offer the programme(s) only after necessary rectification;
- (f) the admission procedure and fixation of fees shall be in accordance with the norms or guidelines prescribed by the UGC and other concerned statutory bodies;
- (g) relaxation of fees for poor SC/ST and meritorious students of the State is to be formulated by a separate policy of the private university in consultation with Government of Meghalaya.

Application for establishment of Private Universities.

4. (1) An application in the prescribed format along with letter of intent for establishment of a private university shall be submitted to the Government in the Education Department well in time before the date on which the sponsoring body proposes to establish such private university.

(2) The application shall be duly acknowledged by the Director of Higher and Technical Education, Meghalaya.

(3) The application shall be signed by such persons authorized to authenticate instruments on behalf of the sponsoring body.

(4) An application fee (non-refundable) of rupees ten thousand only shall be enclosed with the application through a crossed account payee bank draft in favour of the Government of Meghalaya through the Director of Higher and Technical Education, Meghalaya, payable at Shillong. The money received on account of application fee shall be deposited by the Director of Higher and Technical Education in current account in a nationalized bank to be operated jointly by the Director of Higher and Technical Education and the Finance and Accounts Officer of the Directorate.

(5) Application for the establishment of the private university shall contain the project report with all relevant particulars and be accompanied by at least ten copies of such detailed project report including soft copies in a format to be prescribed by the Department at the appropriate time.

(6) The Government has the right to reject an application for reasons as it deems justifiable. The sponsoring body may, however, apply afresh for a new or a modified project along with application fee, not later than 6 months from the date of rejection of previous proposal.

**Acceptance and
Rejection**

5. (1) In case of acceptance or rejection of the application for establishment of a private university, the Government shall communicate the same formally.

(2) In case of acceptance, when the formalities as per the relevant Act have been complied with, the sponsor shall procure land and have

proper infrastructure including teaching staff as per the UGC norms or any other authority as the case may be without which they cannot start the university.

Endowment Fund.

6. (1) The endowment fund in the form of a bank guarantee issued by a scheduled bank shall be pledged in the name of the Director of Higher and Technical Education, Meghalaya who shall also be the custodian for all documents and instruments related to the endowment fund and its investment.

(2) In case the private university or the sponsoring body contravenes any of the provisions of the regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the private university, as the case may be.

(3) The Government shall, among other things, duly consider the reply submitted by the sponsoring body or private university.

(4) In case the reply to show cause notice issued under sub-section (2) is not submitted by the sponsoring body or by the Registrar of the university within 45 days of receipt of the notice, the Government may decide the case on an ex-parte basis.

(5) The forfeited amount of endowment fund shall be used in the manner as specified in the relevant provisions of the governing Act.

Inspection and Disclosure of information.

7. The State Government shall have the right to cause inspection of all records and premises of the university at any given time. In the event of the university violating conditions set forth in the relevant Act or in the event of the university deviating from norms and extant regulations laid down by the UGC, the State Government may call for all relevant information from the concerned private university in whatsoever form as may be prescribed at the relevant time.

Consequences of violations.

8. (1) After inspection and assessment of a private university providing first degree and/or post graduate degree/diploma courses,

the Education Department, Government of Meghalaya may communicate to the private university any deficiency and non-conformity with the relevant Government regulations and give it reasonable opportunity to rectify the same. If the State Government, is satisfied that the private university has, even after getting an opportunity to do so, failed to comply with the provisions of any of the Regulations, it may pass an order prohibiting the private university from offering any course for the award of the first degree and, or the post-graduate degree or diploma, as the case may be, till the deficiency is rectified.

(2) Any private university, which has been notified before commencement of this Act, shall comply with the provisions of this Act within a period of three months from the commencement of this Act and intimate the compliance to the State Government.

(3) The State Government may take necessary action against a private university awarding a first degree and or post-graduate degree or diploma, which are not specified by the UGC, and inform the public in general through a public notification. A private university continuing such programme(s) and awarding unspecified degree(s) shall be liable for penalty under Section 24 of the UGC Act, 1956.

(4) The State Government may take appropriate action against a study center or campus of any private university set up outside the State and having such campus or study center in Meghalaya who do not fulfill the conditions referred to sub-sections (1), (2) and (3) above including direction for closure of such study center or campus.

(5) The State Government on the recommendation of the Regulatory Board specified under section 9. (1), impose penalties on any private university which awards any degree that does not conform to extant government regulations.

Provided no such penalty shall be imposed unless such private university is given a reasonable opportunity of being heard.

**Constitution of
Meghalaya
Higher
Education
Council**

9. (1) There shall be a Higher Education Council to be called the 'Meghalaya Higher Education Council' for the purpose of assisting the Government on the matters of policy relating to development of higher education and maintaining of standards in higher education in the State of Meghalaya. Further terms of reference shall be specified in the rules.

(2) The Council shall be constituted by the Government and shall consist of a Chairman, Secretary and ten other members to be nominated by the Government.

(3) The Meghalaya Higher Education Council constituted under sub-section (2) shall include

(a). An eminent educationist of repute as Chairman or an eminent person with vast administrative experience.

(b). Director of Higher and Technical Education as Member Secretary.

(c). Ten other members to be nominated from among the following:-

(i) Educationists of repute;

(ii) Heads of Colleges;

(iii) Chair persons of governing bodies of colleges;

(iv) An eminent social activist in the field of education etc.

(4) The Council shall regulate its own procedure.

(5) The terms of office of every member of the Council and traveling and other allowances payable to a member of the Council shall be as may be prescribed under rules.

**Constitution of
a Regulatory
Board**

10. (1) The State Government shall constitute a Regulatory Board consisting of Chairman and three members to be nominated by the State Government from eminent educationists of repute or eminent persons with vast administrative experience to be specified under the

rules. The term of reference of the Board shall be specified under the rules;

(2) The Regulatory Board shall be convened from time to time and the Headquarters shall be in Shillong.

(3) The non official members nominated by the State Government of this section shall be entitled to such honorarium, travelling allowance and daily allowance as may be prescribed.

Powers to make Rules.

11. The State Government may make rules for carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

The Government of Meghalaya has decided to enact a law to regulate private universities established under the Acts of the State Government and also other private universities offered in Meghalaya in collaboration with foreign universities, formal and non formal or distance education made by such private universities to ensure that such private universities maintain the standard of infrastructures, teaching, research, examination and extension and services, fee structure, safeguarding the interest of the State as a whole and the student community in particular.

Hence the Bill.

PROF. R. C. LALOO,
Minister in-charge Education.

H. MYLLIEMNGAP,
Secretary,
Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

The Bill will not involve additional financial expenditure from the Consolidated Fund of the State when enacted.

MEMORANDUM OF DELEGATED LEGISLATION

Clause 11 of the Bill empowers the State Government to make rules for carrying out the purposes of the enactment and the delegation is of normal character.



Postal Registration No. N. E.—771/2006-2008

The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 23	Shillong, Friday, March 23, 2012,	3rd Chaitra, 1934 (S.E.)
--------	-----------------------------------	--------------------------

PART - V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 23rd March, 2012.

No.LB.38/LA/2012/4.—The Meghalaya Municipal (Amendment) Bill, 2012 introduced in the Meghalaya Legislative Assembly on the 23rd March, 2012 together with the statement of objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

THE MEGHALAYA MUNICIPAL (AMENDMENT) BILL, 2012

A

Bill

further to amend the Meghalaya Municipal Act (the Assam Act, 1956 as adapted and amended by Meghalaya).

Be it enacted by the Legislature of the State of Meghalaya in the Sixty-third Year of Republic of India as follows: -

Short title, extent
and
commencement.

1. (1) This Act may be called the Meghalaya Municipal (Amendment) Act, 2012.
(2) It extends to the municipal areas of the State of Meghalaya.
(3) It shall come into force at once.

Omission of existing
Section 43A.

2. Section 43A of the Meghalaya Municipal Act (Assam Act, 1956 as adapted and amended by Meghalaya) (hereinafter referred to as the principal Act) shall be omitted.

Insertion of new
section 49A.

3. After Section 49 of the principal Act, the following new section 49A shall be inserted, namely,-

“49A- Municipal Accounts Committee and its functions- (1) Without prejudice to the provisions of sections 48 and 49 of the Act the Board may constitute a Municipal Accounts Committee consisting of such members as specified by the Board.

“(2) The functions of the Committee shall be to examine the accounts of the Board and also to check whether the audit observations and instructions made or given from time to time have been complied with; to undertake physical verification of cash, stock and assets of the Board; and to discharge such other functions as may be entrusted by the Board.

“(3) In the discharge of its functions the Committee shall have powers to summon person concerned and call for books of accounts and other relevant records.

“(4) The Committee shall submit quarterly report to the Board”.

Insertion of new
Clause (e) to sub-
section (1) of Section
60.

4. In sub-section (1) of Section 60 of the principal Act, after clause (d), the following new Clause (e) shall be inserted, namely,-

“(e) fifthly, 25% of the municipal budget shall be earmarked for provision of basic services to the urban poor. In case, the fund so earmarked is not utilised for the purpose during a particular year, either fully or partially, the balance amount shall be carried over to the succeeding year’s budget.”

Insertion of new
section 67A.

5. After Section 67 of the principal Act, the following new section 67A shall be inserted, namely,-

“67A-Constitution of State Level Property Tax Board (1) The State Government shall, by notification constitute a State Level Property Tax Board. The Board so constituted shall or cause to enumerate all properties within the jurisdiction of the municipalities; review the present property tax system and make recommendation for basis of assessment and valuation of properties and modalities for periodic revisions.

(2) The composition of the State Level Property Tax Board, appointment of Member Secretary, terms of office, functions, officers and staff, budget & accounts may be as prescribed.

Insertion of Chapter
VA and new Sections
151A, 151B, 151C,
151D, 151E, 151F, 51G,
151H, 151I, 151J,
151K.

6. After Chapter V of the principal Act, the following new Chapter V A and new Sections 151A, 151B, 151C, 151D, 151E, 151F, 151G, 151H, 151I, 151J, 151K shall be inserted, namely,-

“Chapter V A**BUDGET ESTIMATE, ACCOUNTS & AUDIT”**

“151A-Preparation of Annual Budget - The Board shall prepare a budget estimate of the municipality every year for the ensuing financial year in the format as may be prescribed in the Meghalaya Municipal Accounting Manual.”

“151B-Budget to be sent to the State Government - The annual budget of following approved by the Board shall be submitted to the State Government for inclusion in the state budget as a supplement to state budget for local bodies before 31st January in each year.”

“151C-Revision of Budget - The annual budget so approved may be revised if considered necessary by the Board with the approval of State Government.”

“151D- Preparation of State Municipal Accounting Manual-The State Government shall notify a Manual to be called as the Meghalaya Municipal Accounting Manual containing details of all financial matters and procedures relating thereto in respect of the Municipality.”

“151E- Maintenance of accounts - The Board shall prepare and maintain accounts of the municipality in such form, and in such manner, as may be prescribed in the Meghalaya Municipal Accounting Manual.”

“151F- Statement of Income & Expenditure: The Board shall or cause to prepare, within three months of the next financial year a financial statement containing an income and expenditure account and a receipt and payment account for the preceding year in the format as may be prescribed in the Meghalaya Municipal Accounting Manual.”

“151G- Balance sheet - The Board shall prepare or cause to prepare within three months of the next financial year a balance sheet of the assets and the liabilities of the Municipality for the preceding year in the form prescribed in the Meghalaya Municipal Accounting Manual.”

“151H- Approval of Municipal Accounts-The Board shall approve the account of the previous financial year within four months of the next financial year.”

“151I- Submission of financial statements to auditor - The financial statements prepared under section 151F & 151G be placed before the Board which, after approval, shall be submitted to the Auditor as may be appointed by the State Government.”

“151J- Power of Auditor (1) The municipal accounts as contained in the financial statement, including the accounts of special funds, if any, and the balance sheet shall be audited by Examiner of Local Accounts or his equivalent or an Auditor appointed by the State Government.

“(2) The Comptroller & Auditor General of India shall provide Technical Guidance and Supervision over the proper maintenance and Audit of the accounts of the Board and shall prepare an Annual Technical Inspection report based on such Technical guidance and Supervision and the test check of accounts of the municipality and forward a copy of the report to the State Government.

“(3) Notwithstanding the provisions of subsection (2) the Comptroller and Auditor General may send the report of such audit to the State Legislature.

“(4) The Board shall take necessary action on the report of the Auditor along with test audit report of the Comptroller and Auditor General, within six weeks of receipt.”

“151K- Submission of audited accounts - The Board shall, after adoption of the financial statement and the balance sheet and the report of the Auditor along with Test Audit Report of the Comptroller and Auditor General by the Board, forward the same to the State Government for placing before the State Legislature along with the action taken report with intimation to the Auditor and Comptroller and Auditor General.”

STATEMENT OF OBJECTS AND REASONS:

The 13th Finance Commission stipulate 9 (nine) conditions for availing the performance grant by the Urban Local Bodies. These conditions includes- adoption of standardised format of accounting in the line of National Accounts Manual, entrusting Comptroller & Auditor General for Technical Guidance and Supervision including placing the budget of urban local bodies and Annual Technical Inspection Report of the Comptroller & Auditor General in the State Legislature and constitution of State Level Property Tax Board for independent and transparent procedure for assessing property tax. Therefore, the amendments to the Meghalaya Municipal Act are considered necessary for achieving the conditions of 113th Finance Commission under reference.

Hence this Bill.

AMPAREEN LYNGDOH,
Minister
Municipal Administration etc.

H. MYLLIEMNGAP,
Secretary,
Meghalaya Legislative Assembly

FINANCIAL MEMORANDUM

The Amendment Bill when enacted will involve expenditure from the consolidated fund of the State to meet the establishment expenditure of the State Level Property Tax Board.